

G. R. S. 58

Previous references.

~~Police 34 of 1903-04~~
G.O. No. 176/5 dated 29/2/04
G.P. 34 of 03

Later references.

1903-04

(Police)

File No. 56
of 1903-04
Serial Nos. 1-6

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-6

Part B. for

SUBJECT.

Theft of telephone wires

No. 5283 dated 24 Feb: 1904 (G.O. 1326)
318

From the J. G. of Police

Forward for information an extract from the diary
of the Asst. Dep't. of Police of the French Rocks Sub-Dir.
in the case of theft of telephone wires

Memo No. 1843 dated 8/3/04

To the Chief Engineer in Mysore

Transfers the same for disposal

2. No. 2088-9 dated 5/4/04

GEB..3,000-7-4-07

To the J. G. of Police and the Chief Engineer
Inform that Regn. I of 1902 does not apply to such cases
but that sec: 33 of the Indian Telegraph Act III of 1885-

sh. l. l. l.

P. T. O.

3: No. 2201 dated 9/4/04 (J. 1572)

From the Chief Engineer

States that the telephone wires do form part of the Cavery Power Transmission line whose satisfactory working is dependant on it.

4. No. J. 2200 dated 16/4/04

To the Chief Engineer

Requests the return of papers forwarded to him with sl 1.

5. No. 2371 dated 18th April 04 (J. 1601)

From the Chief Engineer

Returns the papers called for

6. No. J. 2402nd dated 13/5/04

To the Chief Engineer and the S. G. of Police

States that under the circumstances explained by the Chief Engineer no further action is proposed to be taken in the matter

Office of the Dewan of Mysore.

File No., (if any)

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Office Note.

Branch — judicial

Subject — Theft of telephone wires.

Letter No. $\frac{5283}{318}$ dated 24-2-04 from the

J.G. of Police in Mysore, Subg for information an extract from the diary of the Asst Supd. of Police, French Rocks, with the S.D. Officer's remarks in the case.

Subd for order.

The whole file on the subject was transferred to the Chief Engineer for opinion on 29th February 1904.

SN
3/3/04

This may also, after perusal, be transfd in contr.

See 2)

3.3.04

Subd of the Dewan

16281
3.3.04

received

3/3/04

5.3.04

Transferred in contr. to Chief Engineer

3.4

The papers were transferred to the Chief Engineer as directed.

The Sub Division Officer, French Rock submits a further report in regard to the case of mischief done to the Telephone wires in the Malvalli Taluk and expresses a doubt as to whether damage to Telephone lines may be interpreted as damage to Kaveri Power Transmission...

Subs for order.

SR
26/1/24 The telephonic line is question is not part of, or an appliance connected with, the Kaveri P. T. line; & hence Reg 12 (902 does not apply.

But I may point out that provisions very similar to those contained in S. 29 that Regs are also to be found in S. 33 of the Indian Telegraph Act, XIII of 1885. This Act applies, by virtue of Reg IV (1899, ^{mutatis mutandis} to every telegraph line in Mysore territory; and "telegraph" has been defined as including appliances

and apparatus for transmitting³
talking telephonic or other commun-
ications.

This fact may be pointed out
to the I & S Intelligence to pass
your letter No. 5750 of 19-3-22
356
of the papers transferred to the
Chief Engr. in charge, with a copy of
the letter to the I & S

Yours truly

(Li)

25/3/22

Subd to Adm -

16867
30.3.22.

07999
29/3/22

2197 und

31. III. 24

The draft was approved and issued

No. 2201 d: 9/4/24

The Chief Engineer states that the
telephone line is in the fullest ser-
vice and an appliance connected with the "Kaveri
Power Transmission Line" as it is in-
stalled for the particular purpose of work-
ing the power transmission line whose
satisfactory

satisfactory working is dependant on it & that detailed proofs will be furnished if necessary and that the view taken by Gp is not correct. The Indian Telegraph Act he says, can only be applied in case of other telephone lines not connected with the Kaveri Power scheme, such as the permanent lines erected in Bangalore. He wishes to know what further action is proposed to be taken in the matter.

Subd. for adrs.
for the file relating to the Refn
SR 13/4/04 from the Def: B.R., 2 put up.
13/4/04

File obtained and put up.

Accts sent for from the S. Home
& obtained. 20-4-04
SR 13/4/04

It seems to make little difference whether, in circumstances in which punitive action can be taken, such action is taken under the Telegraph Act as applicable to telephonic lines, or under Refn. of 1902 as applicable (in the Chief Engineer's opinion) to the telephonic line connected with the K.P.D. line ~~whether or not the telephonic~~

On the question of interpretation
I am sorry I cannot agree in the Chief
Engineer's opinion. The words "apparatus
or appliances, or part or parts thereof
connected therewith," were inserted by me
when drafting the Regulation, after a
study of the definition of "telegraph line"
contained in Act XIII of 1885, and with the
intention to employ them in the same sense
as in the latter. Now, ~~the definition of~~ ^{the definition of} "telegraph
line" ~~in that~~ has been defined in that
Act as meaning "a wire or wires used for
the purpose of a telegraph, with any casing, ~~only~~
tube or pipe enclosing the same, and ~~any~~
appliances and apparatus connected
therein for the purpose of joining or
insulating the same." Here it is

evident that the connection meant
is actual physical or material connection
and not merely ~~the~~ the relation that exists
between two things by reason of the one being
useful for the working of the other, though
this relation is also implied in the former.

If the mere fact that the telephone
line subserves the ~~purpose of~~ ^{working of} the
transmission of power is sufficient to
bring it under the Regulation, then, for that
matter the post, or the telegraph, or the railway
(which carries any required material), or even
the motor road, ^{telegraph} may equally be described

is an appliance connected with
the transmission line

The matter, however, is not
of much practical importance,
as from the reports of the Insp.
General of Police, there do not
appear to be sufficient funds
for taking any punitive action
against the villagers. (Vide

the office notes & Dewan's order of 16/12/04,
among the papers transferred to the P.W. Secy,
& now recd back for ref ce)

No 2201 d: 9/4/04

With reference therefore, to the last
sentence of the Chief Secy's letter, he
may be informed that no action is
at present proposed to be taken in the
general dept., but that his attention
is invited to the order already passed
by the Dewan (no 2201) —

Secy

20/4/04

It would be well I think,
to put up a draft for communication
to the Chief Eng^r and the Jy of Police

27/4/04

Submitted with a draft as directed.

ye laung
17/4/04
3.5.04

Secy
Subd to the Dewan 29/4/04

11. ~~cc. 5~~ 823 28/3/29

Sl 1

f. 1326. 1
190

From The Inspector of Police
To THE SECY. TO THE GOVT. OF MYSORE,
GEN. & REV. DEPTS

Transfer to the
Sinner's...
in Mysore...
...
Office...
1765 - 823 Feb 29
f. 7. 24/8/04

To
Sl 401

Dated 24 Feb 04
Despatched 29 Feb 04
Received
General No. 5283 ✓
No. 318
Enclosure No. 02a

B 2
(S) K. V. K. 1
For Office

This Office No.

dated 190

forwarding for
information...
...
...
wires
and subsequent reminder marginally noted.

Has the honor to draw attention to the above
and to request an early reply thereto.

By Order,

Under-Secretary.

5
by virtue of Dep IV 8182,
mutatis mutandis to each
telegraph line in Mysore
territory; and "telegraph"
has been defined in s 3(1)
as including appliances
and apparatus for transmitting
or making telephonic or other
communications.

26.3.04

34.04
for Sect

07999
and
31. III. 04

2089 25/4/04
Done

Cpy to the Chief Engineer
in Mysore, together with
the Police Insp^r General's
letter no 5750 of the 19th
March 1904 & its enclosures
in original, which are
transferred in carbon of
this office no 6243 of 23.04
J

803 Mysore Public Works Department.

Central Office

Dated Bangalore 9th April 1904

✓
No. 2201
From,

W. Mc Hutchin Esquire, M.I.C.E.

Chief Engineer of Mysore.

To,

L. Ananthasawmy Rao Esquire, B.A.

Offg Secretary to Government of H.H. the Maharajah

of Mysore,

General and Revenue Departments.

Sir,

In acknowledging the receipt of your Memo No. 2089/J of the 5th instant, forwarding copy of No. 2088/J of the same date to the address of the Inspector General of Police in Mysore, stating that the telephone line erected in connection with the Cauvery Power transmission works is not part of or an appliance connected with, the same, I have the honor to inform you that the telephone line in question is in the fullest sense "an appliance connected with the Cauvery Power Transmission line" as it is installed for the particular purpose of working the power transmission line whose satisfactory working is dependent on it. If you think it necessary to have detailed proof of this, it can ^{easily} be furnished. I am therefore of opinion that the view taken by you in the communication under reference that it is not part of, or an appliance connected with, the Cauvery Electric Power Transmission line is not correct, and any ruling made on this supposition will be inapplicable. The Indian telegraph ^{Act} can only be applied in case of other Telephone lines not ^{connected} ~~communicated~~ with the Cauvery power scheme such as the permanent lines erected in Bangalore. I shall feel obliged if you can inform me as to what further action you propose to take in the matter.

I have the honor to be

Sir,

Your most obedient servant,

W. Trail

Captain R. E.
For Chief Engineer of Mysore

W. Trail

883

J/1572

From

The Chief Engineer of Mysore



To

The Secretary to Government
General and Revenue Departments

Dated Bangalore 9-4-1904

Despatched

Received

General No. 2291
No.

Enclosure No.

Requesting him to inform as to
what further action he proposes to
take as regards the erection of the
telephone line in connection with
the Cauvery Power Transmission works

11/4/04
[Signature]

24

5

Has this been sent & can
be mistaken? if

no! 4/04

To The Chief Engineer
✓
no. 2200 3/16/4/04

Its letter no 2201 of
the 5th April 1904
regarding the telephonic
line, erected in connection
with the ~~Lower~~ Lower
Transmission Works

Has the honor to be given
that the paper forwarded
with this office memo no.
2209 of the 5th April
1904 is referred to
for reference

14-4-04
J. J. Jones
J. J. Jones

6

✓ 825
Mysore Public Works Department,
Central Office,

No. 2371

Dated Bangalore 18th April 1904.

From,

W. Mc Hutchin Esquire, M.I.C.E.

Chief Engineer of Mysore.

To,

L. Ananthasawmy Rao Esquire, B.A.

Offg Secretary to Government of H.F. the Maharajah

of Mysore.

General and Revenue Departments.

In compliance with his docket No. 2200/J of 16th instant, has the honor to return the papers relating to the theft of C.P.S. Telephone copper wire, received with his No. 2080/J of 5th instant.

W. Mc Hutchin

For Deputy Chief Engineer

of Mysore.

W. Mc Hutchin

1904

From

The Chief Engineer, Mysore

To

The Secretary to the Government
General and Revenue Departments

Dated Bangalore 18-4-1904

Despatched

Received

General No. 2371

No.

Enclosure No. 1

Returning the papers relating
to the theft of C.P.S. telephone
copper wire

19.4.04

Subd. with reply

SR
27/4/04

826

Fair-draft

7

R/D

To

The Chief Engineer in Mysore

N^o 2409

Date: 13. 5. 04

Sir,

Advancing to your letter

N^o 2201 dated the 9th April 1904.

regarding certain cases of mis-
chief to the telephone lines in

the Malavalli Taluk, I am

directed to state that ^{under the} no ^{circumstances} further action is at present

proposed to be taken in the

matter in the General Depart.

-ment. ~~as from the reports re~~

~~ceived from time to time from~~

~~the~~

forward for information
a copy of a note by the
Deputy Secy to Govt,
Mysore Dept, and to

~~the Inspector General of Police there
do not appear to be sufficient
grounds for imposing any punitive
force on the inhabitants of
the villages in the vicinity of
which the cases occurred.~~ I

am in this connection to invite
your attention to the orders
already passed by the Dewan
on the 26th February 1904 in
connection with the papers trans-
ferred to you with this office
Endorsement. No. $\frac{1765}{7734 \text{ of } 03-04}$ dated
the 29th idam

2. The original file of papers
received with your letter No. 9371
dated the 18th April 1904 as well
as the office Note containing the
Dewan's order referred to

are herewith returned 9

I have etc

///

Offg Secretary

~~11/29 4⁰⁰~~

2410
J
13.4.04

Copy to the Inspector General
of Police in Mysore for informa-
-tion

B. 10.

///

Offg Secretary